

Translation

PATENT COOPERATION TREATY

PCT/JP2003/004720



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 03R00005	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP2003/004720	International filing date (day/month/year) 14 April 2003 (14.04.2003)	Priority date (day/month/year) 23 April 2002 (23.04.2002)
International Patent Classification (IPC) or national classification and IPC H04N 5/00		
Applicant SHARP KABUSHIKI KAISHA		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 2 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☒ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 17 July 2003 (17.07.2003)	Date of completion of this report 18 February 2004 (18.02.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

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International application No.

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I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
 pages 1-103, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the claims:
 pages 1-23, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages 24-27, filed with the letter of 05 November 2003 (05.11.2003)
- ☒ the drawings:
 pages 1-51, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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IV. Lack of unity of invention

1. In response to the invitation to restrict or pay additional fees the applicant has:

- ☐ restricted the claims.
- ☐ paid additional fees.
- ☐ paid additional fees under protest.
- ☐ neither restricted nor paid additional fees.

2. ☒ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is

- ☐ complied with.
- ☒ not complied with for the following reasons:

- The transmission line 121 of document 1 corresponds to a first communication channel of this invention, a communication channel to AV devices 101-103 via infrared light-emitting element 16 and a communication channel connected to audio video input terminals 11a-c of document 1 respectively correspond to a second communication channel of this invention, and control units 15b and 15c for prohibiting viewing other than specific sub units of document 1 correspond to control management means of this invention.

Therefore, the constitution described in claims 1 and 12 is not a special technical feature in the meaning of PCT Rule 13.2, second sentence.

Consequently, claims [1 and 2], [3-6], [7, 8 and 24], [9 and 10], [11], [12-16], [17 and 18], [19 and 20], [21], [22], [23] and [25-27] do not meet the requirement of unity of invention.

Document 1: JP, 2000-224673, A

4. Consequently, the following parts of the international application were the subject of international preliminary examination in establishing this report:

- ☒ all parts.
- ☐ the parts relating to claims Nos. _____

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	3-6, 8-11, 19-23	YES
	Claims	1, 2, 7, 12-18, 24-27	NO
Inventive step (IS)	Claims	3-6, 8-11, 19-23	YES
	Claims	1, 2, 7, 12-18, 24-27	NO
Industrial applicability (IA)	Claims	1-27	YES
	Claims		NO

2. Citations and explanations

Document 1: JP, 2000-224673, A (NEC Corporation), August 11, 2000 (08.11.00)

Document 2: JP, 2000-350178, A (NEC Corporation), December 15, 2000 (12.15.00)

Document 3: JP, 2000-269994, A (Matsushita Electric Industrial Co., Ltd.), September 29, 2000 (09.29.00)

The transmission line 121 of document 1 corresponds to a first communication channel of this invention, a communication channel to AV devices 101-103 via infrared light-emitting element 16 and a communication channel connected to audio video input terminals 11a-c of document 1 respectively correspond to a second communication channel of this invention, and control units 15b and 15c for prohibiting viewing other than specific sub units of document 1 correspond to control management means of this invention.

The inventions of claims 1, 2, 12-15, 17 and 18 do not appear to be novel or involve an inventive step over document 1.

Similarly, the inventions of claims 1, 2, 12-15, 17 and 18 do not appear to be novel or involve an inventive step over document 2.

In the invention of document 3, when the controller 10 outputs a device control request for controlling a specific device 20, a device management apparatus 31 compares a previously designated identification code recorded in a recording unit 202 and the controller ID of a controller, and if they match, it gives right to control. Also, when the power of an AV system is cut off or when a certain time passes etc., recorded contents of the recording unit 202 are deleted. Therefore, the inventions of claims 1, 2, 12, 13, 15-17 and 25-27 do not appear to be novel or involve an inventive step over document 3.

Also, the use rights of document 3 are registered from input part 101 (paragraph 8). Therefore, the inventions of claims 7 and 24 do not appear to be novel or involve an inventive step over document 3.

Detecting communication conditions in a communication channel and changing control right in response to change in communication conditions (claim 3), giving priority to establishment of control right of set-up input means over establishment of control rights from first communication means (claim 8) and giving control rights to other communication devices when control rights have been released are not described in documents 1-3.